

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:

HORACIO JUAN ACOSTA VILLEGAS

CASE NO. 10-01277-BKT
CHAPTER 13

DEBTOR(S)

TRUSTEE'S POSITION REGARDING DEBTOR(S)' MOTION FOR MODIFICATION
OF HOME MORTGAGE LOAN

TO THE HONORABLE COURT:

Comes now Alejandro Oliveras, Chapter 13 Trustee, represented by the undersigned counsel and very respectfully states and prays:

1. The debtor has filed a motion for the approval of a home mortgage modification. While the trustee in principle does not object to the debtor(s)'s intention to modify the home mortgage loan, it is herein requested that the debtor(s) be ordered to address the following issues and submit the proper documentation:

- (A) Indicate whether there is a trial period involved in the modified loan; the specific time period involved; whether the debtor has complied with the time period and provide evidence thereof.
- (B) Provide all relevant terms of the modified loan, including, but not limited to the amount of arrears

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and the manner in which these shall be paid. Disclose as well all costs involved for this mortgage loan and the source from which these shall be paid.

(C) Include copy of the final document containing the intended home mortgage loan.

The trustee further requests that if the mortgage modification is approved by this Honorable Court, the debtors should be ordered to file forthwith an amended plan, if the mortgage modification impacts the current plan on file.

Likewise, the trustee requests that debtor(s) be ordered to file Amended Schedules I and J, if necessary in order to reflect their current income and expenses as it may be required as per the home mortgage modification.

WHEREFORE, it is respectfully requested from this Honorable Court to take notice of the Trustee position regarding debtors' motion for a rescheduling of the meeting of creditors.

RESPECTFULLY SUBMITTED.

NOTICE: Within FOURTEEN (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party in interest whom this document has been served, or any other party to the action who objects the relief sought herein, shall serve and file an objection or other appropriate response to this document with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the document will be deemed unopposed and may be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the Court, the interest of justice requires otherwise. If you file a timely response, the Court may - in its discretion - schedule a hearing. 9013-1(h)(1).

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CERTIFICATE OF SERVICE: I hereby certify that on this same date I electronically filed the above document with the Clerk of the Court using the CM/ECF System which sends a notification of such filing to all parties in this case registered for receipt of notice by electronic mail. I further certify that the foregoing document has been served to the U.S. Trustee at ustregion21.hr.ecf@usdoj.gov and by depositing true and correct copies thereof in the United States Mail, postage prepaid, to the non CM/ECF participants: debtor(s) and debtors' counsels, at their mailing addresses of record.

In San Juan, Puerto Rico, this TH day of April, 2010.

ALEJANDRO OLIVERS RIVERA

CHAPTER 13 TRUSTEE

P.O. Box 9024062

San Juan, PR 00902-4062

Tel. 977-3500 Fax 977-3521

By: /s/Miriam D. Salwen Acosta

Miriam D. Salwen Acosta

Staff Attorney

USDC-PR # 208910

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CERTIFICATE OF MAILING

The undersigned hereby certifies that a true copy of the foregoing document was mailed by first class mail to the parties listed below:

HORACIO JUAN ACOSTA VILLEGAS

VENUS GARDENS
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SAN JUAN, PR 00926

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DATED: April 19, 2010

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S/Diana Arroyo

OFFICE OF THE CHAPTER 13 TRUSTEE